

CHAPTER NO. 80

SENATE BILL NO. 1887

By Clabough

Substituted for: House Bill No. 1943

By Hargrove

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 126, relative to the manufacture and installation of manufactured homes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-126-202(10), as amended by Section 4 of Chapter 793 of the Public Acts of 2002, is amended by deleting the subdivision in its entirety and by substituting instead the following:

(10) "Set up" means installation of the manufactured home according to the manufacturer's installation instructions or those provided in § 68-126-403(c)(2), (3), and (4) for new manufactured homes and in § 68-126-403(d)(2), (3), and (4) for used manufactured homes, and includes, but is not limited to: site preparation; support structures including footings, piers, caps, and shims; anchoring systems; ground moisture barriers; connection, fastening, moisture barrier installation between sections, and roofing dry-in of multi-sections; HVAC duct connections; plumbing and electrical crossover connections; completion of exterior siding; installation of heating application ventilation systems or fireplace chimney systems; and completion of hinged-roof sections.

SECTION 2. Tennessee Code Annotated, Section 68-126-205(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) No person may manufacture, sell, lease, or offer to sell or lease any manufactured home, recreational vehicle, or park trailer in violation of rules of the commissioner issued to afford reasonable protection to persons and property with respect to the construction, assembly, and sale or lease of such manufactured homes, recreational vehicles, or park trailers. Compliance with such rules shall be evidenced in the manner required herein.

SECTION 3. Tennessee Code Annotated, Section 68-126-404(e), as amended by Section 14 of Chapter 793 of the Public Acts of 2002, is amended by adding the following as a new subdivision thereto:

() In addition to the fee established in this subsection for the issuance of the license, any installer who fails to renew such installer licenses on or before its expiration date or who commences business in this state prior to obtaining a license, shall be required to pay a penalty in an amount that the commissioner may determine by rule, for acting as an installer without a license.

SECTION 4. Tennessee Code Annotated, Section 68-126-406(f), as amended by Section 15 of Chapter 793 of the Public Acts of 2002, is amended by deleting the section in its entirety and by substituting instead the following:

(f) Upon payment of the inspection fee, the county clerk shall provide the purchaser a permit decal. The commissioner shall provide the permit decals to the county clerk. Installers and retailers may purchase decals from the county clerk; provided, however, that the commissioner shall account for all permits.

SECTION 5. Tennessee Code Annotated, Section 68-126-202(3)(B), is amended by adding the following language at the end of the subdivision:

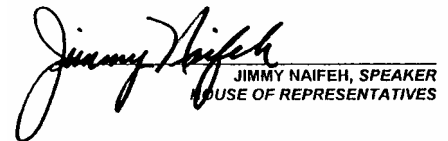
or any financial institution which is engaged in the sale, leasing, or distribution of new and used manufactured homes;

SECTION 6. This act shall take effect on January 1, 2004, the public welfare requiring it.

PASSED: April 21, 2003



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 5th day of May 2003



PHIL BREDESEN, GOVERNOR